

Regular Session, 2010

SENATE BILL NO. 332

BY SENATOR HEBERT

VOTERS/VOTING. Constitutional amendment to authorize the electorate to adopt or reject laws by referendum. (2/3 - CA13s1(A))

A JOINT RESOLUTION

Proposing to amend Article III, Section 1(A) of the Constitution of Louisiana, relative to the exercise of legislative power; to provide that the electorate may adopt or reject certain laws by referendum; to provide for a limitation on the number of referenda during a certain time period; to provide for the powers of the legislature relative thereto; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal amending Article III, Section 1(A) of the Constitution of Louisiana, to read as follows:

§1. Legislative Power; Composition of the Legislature; Continuous Body

Section 1.(A)(~~1~~) Legislative Power of State. The legislative power of the state is vested in a legislature, consisting of a Senate and a House of Representatives, subject to the power reserved to the people to approve or reject any law which is proposed by the legislature as a public referendum. Any such referendum proposed pursuant to this Section may be effected only as to the enactment of

1 a new law proposed by the legislature by a favorable record vote of two-thirds  
2 of the elected members of each house after the effective date of this Section. No  
3 more than two public referenda shall be submitted by the legislature to the  
4 electors of this state during a calendar year. However, any measure enacted by  
5 the legislature which proposes a referendum pursuant to this Section may only  
6 be placed on a ballot during a regularly scheduled statewide election. The  
7 legislature shall provide by law for the procedure, form, and manner by which  
8 the people may exercise the rights reserved to them in this Paragraph.

9 (2) The Senate shall be composed of one senator elected from each senatorial  
10 district. The House of Representatives shall be composed of one representative  
11 elected from each representative district.

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13 Section 2. Be it further resolved that this proposed amendment shall be submitted  
14 to the electors of the state of Louisiana at the statewide election to be held on November 2,  
15 2010.

16 Section 3. Be it further resolved that on the official ballot to be used at said election  
17 there shall be printed a proposition, upon which the electors of the state shall be permitted  
18 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall  
19 read as follows:

20 To authorize the electorate of Louisiana to adopt or reject laws by  
21 referendum; to provide that only the enactment of a new law be proposed by  
22 a two-thirds vote of the legislature may be subject to a referendum; to limit  
23 the number of public referenda submitted by the legislature to no more than  
24 two in a calendar year; and to authorize the legislature to provide procedures  
25 for implementing the use of referendum. (Amends Article III, Section 1(A))

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Tim Prather.

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#### DIGEST

Present constitution provides that the legislative power of the state is vested in the legislature, consisting of a Senate and a House of Representatives.

Proposed constitutional amendment retains present constitutional provisions except that it provides that the legislative power of the state shall be subject to the power reserved to the people to approve or reject any law which is proposed by the legislature as a public referendum. Additionally provides that such a referendum may be effected only as to the enactment of a new law proposed as such by a favorable record vote of 2/3 of the elected members of each house after the effective date of the proposed constitutional amendment.

Proposed constitutional amendment limits the number of such referenda so submitted to two in a calendar year and permits placement of such a referendum on the ballot only during a regularly scheduled statewide election.

Proposed constitutional amendment requires the legislature to provide by law for the procedure, form, and manner by which the people may exercise these rights.

Specifies submission of the amendment to the voters at the statewide election to be held on November 2, 2010.

(Amends Const. Art. III, §1(A))